



#154
AMd7E

RECEIVED

1-19-96
PATENT
Attorney Docket No. 2473.0001-02

95 JAN 16 PM 2:35

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Paul YURT et al.

Serial No.: 08/133,982

Group Art Unit: 2603

Filed: October 8, 1993

Examiner: A. Le

For: AUDIO AND VIDEO TRANSMISSION
AND RECEIVING SYSTEM

Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT

Sir:

This is a response to the final Office Action mailed on August 22, 1995, the period for response to which has been extended through December 22, 1995 by a petition for a one month extension of time, along with the appropriate fee.

Please amend the application as follows.

IN THE CLAIMS:

33. (Twice Amended) A transmission system for providing information to be transmitted to remote locations, the transmission system comprising:

a plurality of electronically connected library means for storing items containing information;

identification encoding means for retrieving the information in the items from the plurality of library means and

Do not
Enter
1/25/95

RECEIVED
95 JAN 16 PM 2:35
GROUP 2603

for assigning a unique identification code to the retrieved information;

conversion means, coupled to the identification encoding means, for placing the retrieved information into a predetermined format as formatted data; and

transmitter means, coupled to the conversion means, for transmission of the formatted data to one of the remote locations.

48. (Twice Amended) A digital audio/video communication network comprising:

a local reception system comprising:

means for receiving compressed, digitized data representing at least one item of audio/video information at a non-real time rate,

means for storing a complete copy of the received compressed, digitized data, and

means, responsive to the stored compressed, digitized data, for transmitting a representation of the at least one item of audio/video information at a real-time rate to at least one of a plurality of subscriber receiving stations coupled to the local reception system. [; and]

[a converter at the at least one of the subscriber receiving stations for receiving and decompressing the compressed, digitized data representing the at least one item of audio/video information.]

49. (Twice Amended) A digital audio/video communication network as recited in claim 48, wherein [the converter is an

element of] the means for transmitting comprises a converter for decompressing the compressed digitized data representing the at least one item of audio/video information.

53. (Twice Amended) A method as recited in claim 52, further comprising the step of decompressing the compressed, digitized data representing the at least one item of audio/video information [after] before the transmission at a real time rate [step].

REMARKS

In the Office Action, the Examiner allowed claims 35-47 and objected to claims 55-57 and 59-61 as being dependent upon a rejected base claim. The Examiner stated, however, that claims 55-57 and 59-61 would be allowable if rewritten in independent form. The Examiner rejected claims 49 and 54 under 35 U.S.C. § 112, second paragraph, and rejected claims 33, 34, 48-54, and 58 under 35 U.S.C. § 102(e) as being anticipated by Ballantyne et al. (U.S. Patent No. 5,133,079).

By this Amendment, Applicants propose to amend claims 48, 49, and 53 in response to the Examiner's rejection under 35 U.S.C. § 112, second paragraph. The proposed amendment fully responds to the Examiner's rejection under 35 U.S.C. § 112, second paragraph, and places those claims in condition for allowance. Further, the amendment does not raise new issues or require a further search. Therefore, Applicants request entry of the proposed amendment. In the alternative, the proposed amendment at least places the application in better form for

appeal by eliminating issues under 35 U.S.C. § 112, second paragraph.

Applicants also propose to amend claim 33 to recite that the plurality of library means are electronically connected. The proposed amendment places claim 33 in condition for allowance because, in addition to the reasons already stated, Ballantyne et al. does not disclose a plurality of electronically connected libraries. Therefore, entry of the proposed amendment is requested. In the alternative, the amendment at least places the application in better form for appeal by further defining the invention recited within claim 33.

The Examiner's rejection of claims 33 and 34 under 35 U.S.C. § 102(e) as anticipated by Ballantyne et al. is respectfully traversed. Amended claim 33 recites a transmission system for providing information to be transmitted to remote locations. This system includes a plurality of electronically connected library means for storing items of information.

Ballantyne et al. fails to disclose, teach or suggest, a plurality of electronically connected library means for storing items containing information and transmitter means for transmission of formatted data to one of a plurality of remote locations. Therefore, Applicants respectfully submit that claims 33 and 34 are fully patentable over the disclosure of Ballantyne et al.

Applicants submit the following in response to the Examiner's arguments. The central distribution library 12 in

Ballantyne et al. is a single distribution library, not a plurality of libraries. Additionally, Ballantyne et al. provides no teaching that one user could access multiple libraries.

The only suggestion in the specification of Ballantyne et al. for providing more than one library is provided in column 4, lines 50-56, but in that portion Ballantyne et al. suggests merely providing a regional distribution library and a central distribution library. Those libraries are not, however, electronically connected. Instead, as shown in the lower right-hand corner of Figure 1B, the distribution of information to the regional library would be manually through disks. Ballantyne et al. further supports this teaching in column 3, lines 53-56 in which they describe the distribution to the central distribution library 12 through portable storage media.

Further, column 4, lines 50-56 of Ballantyne et al. suggest that users in a given area can access information from the regional library in that area through telephone lines. Ballantyne et al. does not teach or suggest a connection between the video master compression system and either the central or regional libraries. Thus, the Ballantyne et al. system does not permit users to access information in other libraries via regional library connection. In contrast, the claimed electronically interconnected libraries allow for electronic distribution of library items. This permits a plurality of libraries to share programs. A single user can remotely access electronically connected libraries using a single connection.

The libraries share information and are connected by electronic connection.

The Examiner's rejection of claims 48-54 and 58 under 35 U.S.C. § 102(e) is also respectfully traversed.

Claim 48 recites a digital audio/video communication network comprising a local reception system. The local reception system includes means for storing a complete copy of received, compressed, digitized data. The local reception system also includes means, responsive to the stored, compressed, digitized data, for transmitting a representation of the at least one item of audio/video information at a real-time rate. Thus, contrary to the Examiner's position, claim 48 does recite an intervening reception system which retransmits compressed data at a real-time rate.

Ballantyne et al. fails to teach, disclose, or suggest an intervening reception system which retransmits compressed data at a real-time rate. Therefore, Applicants respectfully submit that claims 48-54 and 58 are fully patentable over the disclosure of Ballantyne et al.

In view of the above remarks, Applicants respectfully request entry of the proposed amendment, withdrawal of the final rejection, and the allowance of all of the pending claims, 33-61.

If there are any fees due in connection with the filing of this amendment, please charge the fees to our Deposit Account No. 06-0916. If an extension of time under 37 C.F.R. 1.136 not accounted for above is required for the entry of this amendment,

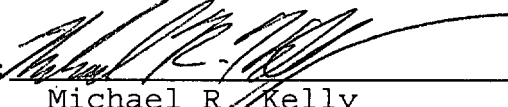
LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 
Michael R. Kelly
Reg. No. 33,921

Dated: December 22, 1995

MRK/kms/dav

2473.0001-02

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000